

HOUSE BILL 2044  
By Maddox

AN ACT to amend Tennessee Code Annotated, Title 50,  
Chapter 6 and Title 56, relative to workers'  
compensation insurance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 6, Part 4, is amended by inserting the following as a new, appropriately designated section thereto:

If an insurance carrier audits a policy of workers' compensation insurance and thereafter assesses the employer a premium that is ultimately determined by a court of competent jurisdiction or by an administrative appeal process authorized by the commissioner of commerce and insurance to have been erroneously or unreasonably assessed against the employer, then the insurance carrier shall reimburse the employer for the employer's legal fees incurred in defense of the insurance carrier's effort to increase the premium.

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.